

09/09/03  
05909  
S. PTO  
60650

Practitioner's Docket No. POKDAC-37

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

03970 U.S. PTO  
10/658621  
09/09/03

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

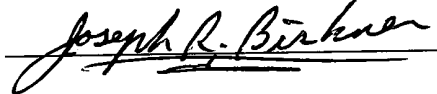
Inventor(s): Thomas M. Dacey

For (title): MODIFIED POKER CARD GAME

CERTIFICATION UNDER 37 C.F.R. 1.10

I hereby certify that this New Application and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 9/9/03 in an envelope as "Express Mail Post Office to Addressee", mailing Label Number ER012047257US addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Joseph R. Birkner  
(person mailing paper)



Signature of person mailing paper

**1. Type of Application:** This new application is for an Original (nonprovisional).

**2. Benefit of Prior U.S. Application(s)** (35 U.S.C. 119(e), 120 or 121): Not Applicable.

**3. Papers Enclosed:**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153( Design) Application:

13 Pages of specification

5 Pages of claims with 20 claims

7 Sheet(s) of formal drawing(s) with 13 FIG.(s)

B. Other Papers Enclosed

1 Page of Abstract

Other  
Postcard

**4. Additional Papers Enclosed:**

Information Disclosure Statement (37 C.F. R. 1.98)

Form PTO-1449 (PTO/SB08)

Citations

Other  
Request & Certification Under 35 U.S.C. 122(b)(2)(B)(i) by applicant(s) Form PTO/SB/35

**5. Declaration or Oath:** Declaration, executed by inventor(s), is enclosed.

**6. Inventorship Statement:** The inventorship for all the claims in this application are the same.

**7. Language:** The language is English.

**8. Assignment:** An assignment of the invention to: Not Applicable; no assignee.

**9. Certified Copy:** Certified copy(ies) of application(s): Not Applicable.

**10. Small Entity Statement(s)**

Applicant(s) claim(s) small entity status and filing by a small entity under 37C.F.R. 1.9 and 1.27.

11. Fee Calculation (37 C.F.R. 1.16)

A.  Regular application

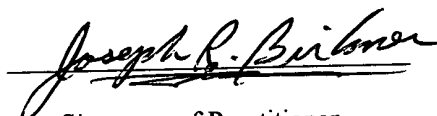
CLAIMS AS FILED

<u>Number filed</u>	<u>Number Extra</u>	<u>Rate</u>	<u>Small Entity Basic Fee</u> <u>37 C.F. R. 1.16(a)</u>
			\$375.00
Total Claims (37 C.F. R. 1.16(c))	20-20 = 0	x \$9.00	\$0.00
Independent Claims (37 C.F. R. 1.16(b))	3-3 = 0	x \$42.00	\$0.00
Multiple dependent claim(s), if any (37 C.F. R. 1.16(d))		+ \$140.00	\$0.00
Small Entity Filing Fee Calculation			<u>\$375.00</u>

11. Fee Payment Being Made at this Time

A check for the amount of \$375.00 is enclosed to cover the total small entity filing fee(s). There is no deposit account at this time.

12. Instructions as to Overpayment: Please refund any overpayment.

  
Signature of Practitioner

Joseph R. Birkner, M.E., Registered Patent Agent  
Registration No. 42,328

Customer Number:



**23341**

PATENT TRADEMARK OFFICE

Statement Where No further Pages Added:

This transmittal ends with this page.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Dacey, Thomas M.
	Title	Modified Poker Card Game
	Atty Docket Number	POKDAC-37

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

9-9-03  
Date

Thomas M. Dacey  
Signature

Thomas M. Dacey  
\_\_\_\_\_  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**